

Appl. No.: 10/661,735
Amdt. Date: September 26, 2005
Reply to: the Final Office Action of August 9, 2005

REMARK

In response, Applicants earnestly appreciate Examiner for arduous work to examine the instant application.

Applicants carefully study Examiner' statements in the final office action, especially the section of Response to Arguments therein. However, Applicants keep unchanged all pending claims in the response of May 23, 2005, and respectfully submit that all pending claims have been placed in position for allowance, for the following detailed reasons.

Part 1) Claim rejections under 35 U.S.C. § 112

Sub-part 1) Specifically, claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Particularly, the claims contains the subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Nowhere in the specification is defined what is "rough enough" or "not smoothly planar" to prevent the bottom surface from sucking the corresponding top surface of the pick up cap. The specification is non-enabling in this capacity.

Also, with regard to claim 1, it is not seen how the spacers are constructed to perpendicular to one another.

Sub-part 2) Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

More specifically, in claims 1, 9 and 11, it is not clear what the

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scope or content of a "surface rough enough" or "not smoothly planar", so as to prevent the bottom surface from sucking a corresponding top surface. The same also applies to a bottom surface roughened or having tiny protrusions to provide recesses from a micro viewpoint. The specification is silent on regarding these parameters, providing no guidance as to what is encompassed by this language.

In response, regarding sub-part 1): firstly, the focus of 35 U.S.C. 112 is on a person of skill in the art (*see Lockwood v. American Airlines, Inc., 107 F.3d 1565, 1570 (Fed. Cir. 1997)*). That means the person should have known all the known techniques in the art, and thus he/she would know the technique of making a surface rough known before the time the application is filed.

Secondly, it is true that a specification need not disclose what is well known in the art (*see Genentech, Inc. v. Novo Nordisk, 108 F.3d 1361, 42 USPQ2d 1001 (Fed. Cir. 1997)*). Further, in the specification of the present application, the bottom surface is gained through a roughening process. For the person skilled in the art, the roughening process provides information enough to perform the bottom surface. That it to say, the specification disclose the specific process to form the bottom surface.

Regarding the spacer, in paragraph [0020] the specification, the spacers include a plurality of parallel first spacers (numbered as 20) and a plurality of parallel second spacers (numbered as 22). Further, the first spacers are transversely formed on the bracket body (numbered as 23), and the second spacers are longitudinally formed on the bracket body. That means the first and second spacers have a perpendicular relationship therebetween.

With the above explanations and the response of May 23, 2005, it is, therefore, respectfully submitted that claims 1-12 have been defined

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to comply with 35 U.S.C. 112, first paragraph.

Regarding sub-part 2) Applicants would like to clarify that "rough enough" or "not smoothly planar" respectively recited in claims 1, 9 and 11 are defined to the extent of preventing the bottom surface from sucking the corresponding top surface of the pick up cap. That is to say, the rough degree is strictly defined by preventing the bottom surface from sucking the corresponding top surface of the pick up cap. The phrase "preventing the bottom surface from sucking the corresponding top surface of the pick up cap" should be construed as a degree limitation to the terms "rough enough" or "not smoothly planar". Thus, it is respectfully submitted that claims 1, 9 and 11 are each defined to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Accordingly, with the above clarifications and the response of May 23, 2005, Applicants respectfully submit that claims 1-12 have been placed in position of complying with 35 U.S.C. 112, first and second paragraphs, and that the rejections thereto should be withdrawn.

Part 2) Claims rejections under 35 U.S.C. § 102

Particularly, claims 1-12 are rejected under 35 U.S.C. § 102(a/b) as being anticipated by Admission.

In response, Applicants would like to explain Aadmission fails to disclose or teach:

"the rough bottom surface is.....enough rough to prevent the bottom surface from sucking the top surface of the pick up cap mounted a corresponding socket connector received said another hard tray", recited in claim 1;

"a bottom surface.....is not smoothly planar.....to result in improper suction between the bottom portion and the upward top

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plane of said another electronic part when the upward top plane of said electronic part is suctioned by a nozzle for displacement of said electronic part' recited in claim 9; or

"a bottom surface.....is.....not smoothly planar but with either recesses or openings therein for preventing suction derived from a plane vs. plane structure between the bottom surface and the planar top surface of another electronic part located right below said bottom portion" recited in claim 11.

That is to say, Applicants respectfully submit that Admission fails to disclose or teach the above-emphasized limitations, and that claims 1-12 should be allowed

Claims 2-8, 10 and 12 are respectively dependent on claims 1, 9 and 11, and thus should be allowed.

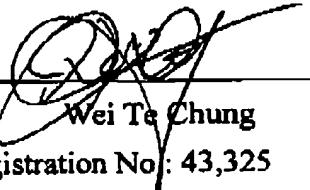
Regarding claims 13-16, Applicants would kindly remind Examiner of claims 13-16 added in the response of May 23, 2005 and depended on claims 9 and 11, respectively. However, Examiner gave no opinions on them. In view of the above, it is respectfully submitted that claims 13-16 have been placed in position for allowance.

Conclusion

In view of the above, Applicants respectfully assert that all the pending claims are patentably distinguishable from the prior art. Therefore, Applicants respectfully submit that this application is now placed in condition for allowance, and that an action to this effect is earnestly requested.

Respectfully submitted,
ZHANG ET AL.

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By 

Wei Te Chung
Registration No.: 43,325
Foxconn International, Inc.
P. O. Address: 1650 Memorex Drive,
Santa Clara, CA 95050
Tel No.: (408) 919-6137